



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Cheng et al.

CASE NO.: CL2385 US NA

APPLICATION NO.: 10/810,733

GROUP ART UNIT: UNKNOWN

FILED: MARCH 26, 2004

EXAMINER: UNKNOWN

FOR: GENES ENCODING CAROTENOID COMPOUNDS

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with 37 CFR 1.97 and 1.98, Applicants bring to the attention of the U.S. Patent and Trademark Office information listed on the enclosed PTO/SB/08A and PTO/SB/08B. A copy of the information is also enclosed.

Should any fee be required in connection with the filing of this Information Disclosure Statement, please charge such fee to Deposit Account No. 04-1928 (E. I. Du Pont de Nemours and Company).

Respectfully submitted,

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Enclosures

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				Application Number	10/810,733			
INFC	PRMATIO	n dis	CLOSURE	Filing Date	March 26, 2004			
STATEMENT BY APPLICANT		First Named Inventor	Cheng et al.					
				Group Art Unit	Unknown			
(use as many sheets as necessary)			necessary)	Examiner Name	Unknown			
Sheet	1	of	2	Attorney Docket Number	CL2385 US NA			

U.S. PATENT DOCUMENTS							
Examiner Initials *				Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear		
		5,656,472	Amoco Corp.	08/12/1997			
		5,545,816	Ausich et al.	08/13/1996			
		5,530,189	Ausich et al.	06/25/1996			
		5,530,188	Ausich et al.	06/25/1996			
		5,429,939	Misawa et al.	07/04/1995			
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	FOREIGN PATENT DOCUMENTS							
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Initials*	No.1	Office ³		ind Code ⁵ if known)	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Т ₆
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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		Nelis and Leenheer, Microbial sources of carotenoid pigments used in foods and feeds, Journal Appl. Bacteriol. 70: pp. 181-191, 1991	
		Misawa and Shimada, Metabolic engineering for the production of carotenoids in non-carotenogenic bacteria and yeasts, J. Biotech. Vol. 59:pp. 169-181, 1998	
		Hauben et al., Phylogenetic Position of Phbytopathogens within the Enterobacteriaceae, Syst. Appl. Microbiol. 21(3),: pp. 384-397, Aug. 1998	
		G. Armstrong, Eubacteria Show Their True Colors: Genetics of Carotyenoid Pigment biosynthesis from Microbes to Plants, J. Bact. 176: 4795-4802, 1994	
		Armstrong et al., Genetics of Eubacterial Carotenoid Biosynthesis: A Colorful Tale, Annu. Rev. Microbiol. 51: pp. 629-659, 1997	
		GenBank Accession No. M87280, Pantoea agglomerans, April 11, 2001	
		GenBank AccessionNo. D90087, Pantoea stewartii, December 18, 2002	
		GenBank Accession No. AY166713, Pantoea ananatis, August 24, 2002	
		GenBank Accession No. AB076662, Pantoea agglomerans pv. Milletiae, December 26, 2001	

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